

## PATENT

## REMARKS

Claims 1-26 are pending in the present application. In the above amendments, Claims 9-10 and 19-20 have been canceled, and claims 4, 11 and 21 have been amended. Applicant respectfully responds to this Office Action.

*Claim Rejections – 35 USC § 102*

1. Claims 11 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Taneka et al. (US Patent No. 5,493,693, hereinafter Taneka). Applicants respectfully respond to the rejection.

Applicants respectfully submit that Taneka does not disclose transitioning from a secure mode to a clear mode during a secure-mode call based on a request from the user, as claimed. In contrast, Taneka teaches that “if the actually engaged communication channel were shifted from the digital mode (confidential) to analog mode (not confidential), then the mobile station PS generates an alarm to warn the user. . . . (Col. 11, lines 24-29). Nowhere in Taneka is there a mention of the user requesting a shift from an ongoing digital mode call to an analog mode. In Taneka, the user ends up involuntarily being in the analog mode as a result of losing the digital mode.

Therefore, since Taneka does not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw the rejection.

*Claim Rejections – 35 USC § 103*

2. Claims 1-3, 5, 12-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walter et al. (US006151677A). in view of Mannisto (US005805084A). Applicants respectfully respond to the rejection.

Applicants respectfully submit that neither Walter nor Mannisto discloses a handset entering a secure mode or staying in a clear mode based on the length of a key depression and based on whether the handset is in secure-only mode or auto-secure mode, as claimed and described in connection with FIG. 2 in the present application. Applicants respectfully disagree with the Examiner that the “locked” and “disclocked” states of a keypad are the same as the

**PATENT**

claimed "secure-only" and "auto-secure" modes of communication. The claimed "secure-only mode" and "auto-secure mode" are explicitly described and defined in Sections [0008] through [0012], and shown in FIG. 2 in the present application.

Therefore, since Walter and Mannisto, singly or in combination, do not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw the rejection.

3. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walter et al. (US006151677A) in view of Mannisto (US005805084A), as applied to claim 1 above, and further in view of Alanara et al (U.S. Patent No. 5,845,205). Applicants respectfully respond to the rejection.

As stated above, neither Walter nor Mannisto discloses the claimed limitations. Applicants respectfully submit that Alanara does not disclose what Walter and Mannisto fail to disclose.

Therefore, since the cited references, singly or in combination, do not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw the rejection.

4. Claims 6, 7, 8, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walter et al. (US006151677A). in view of Mannisto (US005805084A) as applied to claim 2 above, and further in view of Harris et al (U.S. Patent No. 6,442,406 B1). Applicants respectfully respond to the rejection.

As stated above, neither Walter nor Mannisto discloses the claimed limitations. Applicants respectfully submit that Harris does not disclose what Walter and Mannisto fail to disclose.

Therefore, since the cited references, singly or in combination, do not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw the rejection.

5. Claims 9-10 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chapman, Jr. et al. (US 006704567B1) in view of Walter et al. (US006151677A). Applicants respectfully respond to the rejection.

## PATENT

Applicants have canceled these claims. Therefore, Applicants request the Examiner to withdraw this rejection.

6. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taneka et al. (US Patent No. 5,493,693) in view of Mannisto (US005805084A). Applicants respectfully respond to the rejection.

Applicants respectfully submit that Taneka does not disclose the user having the ability to conform or not conform transitioning from a secure mode to a clear mode during a secure-mode call, as claimed and illustrated in Figure 2 of the present application. In contrast, Taneka teaches that "if the actually engaged communication channel were shifted from the digital mode (confidential) to analog mode (not confidential), . . . the user can . . . terminate the communication, and then, he can again request for engagement with the digital communication channel." (Col. 11, lines 24-35). Nowhere in Taneka is there a mention of the user actively rejecting the shift from an ongoing digital-mode call to an analog mode in order to stay in the secure call. In Taneka, the user ends up involuntarily being in the analog mode as a result of loosing the digital mode. Mannisto does not disclose what Taneka fails to disclose.

Therefore, since the cited references do not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw the rejection.

7. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taneka et al. (US Patent No. 5,493,693) and Mannisto (US005805084A) in view of Walter et al. (US006151677A). Applicants respectfully respond to the rejection.

As stated above, neither Taneka nor Mannisto discloses the claimed limitations. Applicants respectfully submit that Walter does not disclose what Taneka and Mannisto fail to disclose.

Therefore, since the cited references, singly or in combination, do not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw the rejection.

8. Objection to Claim 4

Applicants have amended claim 4 according to Examiner's suggestion.